



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Charles M. Russell National Wildlife Refuge  
P.O. Box 110  
Lewistown, Montana 59457



EXHIBIT 4  
DATE 3/12/09  
SB SS 19

March 12, 2009

Good afternoon Chairman Van Dyk and members of the Montana House Fish, Wildlife and Parks Committee,

The Service wanted to take this opportunity to provide some clarification from the perspective of the U.S. Fish and Wildlife Service (Service) regarding Senate Joint Resolution 19. The Charles M. Russell National Wildlife Refuge (CMR) was established by Executive Order (EO) 7509 in 1936. The established purpose of CMR as defined in EO 7509 is the "...natural forage resources therein shall **first** be utilized for the purpose of sustaining four hundred thousand (400,000) sharptail (sic) grouse, and one thousand five hundred (1,500) antelope, the primary species, and such nonpredatory secondary species in such numbers that may be necessary to maintain a balanced wildlife population..." The executive order went on to state "provided further that all the forage resources within this range or preserve shall be available, except herein provided with respect to wildlife, for domestic livestock." The Service has been challenged in court three times regarding the interpretation of the EO. The courts have ruled in favor the Service in all cases and have stated that the EO is clear that wildlife has priority for the forage resources of the refuge. The Office of the Solicitor has been fully engaged in the current planning process and assures the Service is in full compliance with all applicable executive orders, laws, and policies. Through numerous wildlife and habitat monitoring programs, the Service has determined that the habitat needs of the primary species and many secondary species as defined by EO 7509 are not being achieved.

Secondly, the Service has met numerous times with various members of the local communities surrounding the CMR, various special interest groups and government agencies concerning the current management and the planned management of CMR through the development of a Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS). The Service held fourteen public scoping meetings in Lewistown, Jordan, Glasgow/Ft Peck, Malta, Bozeman, Billings and Great Falls as part of the CCP/EIS process and the Service received over 24,000 comments. The Service extended cooperating agency status to the Conservation Districts with one representative to convey information and solicit input/comments from the six county Conservation Districts around the refuge. The Wilderness Society and other conservation groups have been actively engaged in the process, and are concerned about the future of 176,000 acres of proposed wilderness, and the political influence the Conservation Districts could have on issues related to habitat, wildlife, and livestock grazing. The Service is continuing to meet with interested parties to gather input and feedback concerning the development of the CCP. The Service has been transparent throughout the planning process by publishing regular planning updates and providing information on the refuge website.

I hope you will consider this information when debating this resolution and I encourage you and any other members of the committee to contact me at 406-538-8706 if you there any questions.

Sincerely,